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DISTRICT COURT
BOSTON, MASS

In the United States District Court of Massachusetts At Boston
John Moakley Courtroom
1 Courthouse Way, Room 2300
Boston, MA 02210
Attention: Susan Jenness

AMANDA U. AJULUCHUKU,

Plaintiff,

Vs.

BANK OF AMERICA

Defendant.

CASE NO.
COMPLAINT

Discrimination based upon color and
disability, including personal injury,
slander, and libel

Breach of Contract

Act Section 21

AX

Amanda U. Ajuluchuku
P.O. Box 534
Seattle, WA 98111
Phone (206) 228-8852

This letter is being sent via first class us mail

November 30, 2004

Bank of America (Fleet Bank)
71 Faunce Corner Road
North Dartmouth, MA 02740
Attention: Legal Department

AMANDA U. AJULUCHUKU
P.O. Box 534
SEATTLE, WA 98111
AMANDAAJULUCHUKU@YAHOO.COM

B). FACTS OF THE CASE (ALLEGATIONS)

1) In July 2003, I opened both a savings and a checking account with Fleet Bank in North Dartmouth, Massachusetts. Fleet Bank has now merged with Bank of America.

2) I did not have a job. However, I received unemployment checks from Washington, DC of \$184.00 a week. I made a habit of depositing my check inside the Fleet Bank as opposed to via the ATM. Each time, I asked the teller for money out of my unemployment check. But the teller told me that she could not afford to give me the money due to the fact that it was an out of state check. She said that I would have to wait for about three to five days for the check to clear. However, she advised me to use the ATM as opposed to coming inside the bank. She said that the ATM would give me up to \$100.00.

3) I took her advice. Whenever, I received my unemployment check, I would use the ATM. Each time, I withdrew up to \$100.00.

4) In November 2003, I deposited a check of \$200.00 into my account via a Fleet ATM in New Bedford. I was no longer living in North Dartmouth. I was on my way to Boston via New Bedford. As always, I took \$100.00 out of the check. Before leaving for Boston, I rented a storage space in UHaul in New Bedford on November 27, 2003. I used my Capital One Credit card to pay for the storage.

5) When I got to Boston, I tried to get money out of the ATM, Fleet Bank had deliberately frozen all my accounts.

6) In early December 2003, I returned to New Bedford to get some things from my storage. I also returned to North Dartmouth to learn why they had frozen my accounts. I fell several times due to the fact that they had frozen my accounts. I was suffering from panic and anxiety attacks, severe dizzy spells, headaches, and cold chills. Fleet Bank was aware of my disability. They saw me fall. None of them lifted a finger to help me. They did not ask if I was all right. Then, I met with the manager. I explained that I had deposited a check of \$200.00. He told me that they did not see the check. However, he refunded the amount to my account.

7) Afterwards, I returned to Boston. When I tried to conduct a transaction online at Boston University, I mistakenly put my checking account. I had to go to the nearest Fleet Bank to stop the transaction. Fortunately, there was a full service Fleet Bank at Boston University. I met with the manager and assistant manager of the Fleet Bank. They put a stop on the transaction. However, both suggested that I close the account for fear that the online transaction might present my checking account number in six months because the stop was only good for six months. Again, I followed the Banker's advice. I closed the North Dartmouth account. At the same time, I reopened another account with Fleet Bank at Boston University.

8) It made sense because I was in Boston to attend law school in Andover, close to Boston. I would return to UHAUL in New Bedford to retrieve my belongings once I found an apartment in Boston. I had a Capital card with UHAUL. Once, the manager and assistant manager of UHAUL told me that my credit card paid me through April 2004. The next time, I telephoned them, I was told that my credit card was declined. I had to send the manager and assistant manager a money order from Fleet Bank in Andover in the amount of 54.00 to cover the rent from December 27, 2003 through January 27, 2004. Two weeks later, I telephoned them to find out if they had received

1 my money order, both said that they had not received the money order. I was deeply
2 worried. I did not want my belongings to be sold off at an auction.

3 9). Within days, the Fleet Bank in North Dartmouth closed all my accounts with the
4 Fleet Bank at Boston University. They were unstoppable. Again, they froze all my
5 accounts. Additionally, they paid the online transaction. Even though, I had placed a
6 stop payment. In doing so, I suffered hunger. I was homeless, jobless, and penniless in
7 Boston. Fleet Bank deprived me of food during Christmas 2003. I suffered panic and
8 anxiety attacks. Hence, my blood pressure rose to alarming heights. It took about three
9 days before they put the money back on my account.

10 10) On December 28, 2003, I met my fiancé in Boston. He took a leave from his
11 Department of Defense job in Bremerton, Washington to visit his ailing mother. On
12 January 1, 2004, he proposed marriage. On January 7, 2004, he flew me from Boston to
13 Washington for marriage. He begged me to continue law school in Washington State. I
14 agreed. Boston is a very cold city. Plus, it was hard securing an apartment due to my
15 bankruptcy. While in Boston, I stayed in several hotels. Hotels do not mind a
16 bankruptcy record. Most importantly, I love hotels because they provide maid service
17 and heat all year round. I am disabled.

18 11). When I was a baby, I fell down the stairs. I injured my brain in the process. As a
19 consequence, I lack motor skills. Playing the piano at the age of six rewired my brain
20 and accorded me minimal motor skills. Moving around, yelling, driving, and
21 noise intensifies my disability (dizziness, memory problems, cold chills, fainting skills,
22 and loss of balance). I have a record of disability with Dr. Mark Schwartz, my longtime
23 doctor (1993-1999) in Torrance, California. I have received disability benefits from the
24 State of California and Provident Life Insurance. The State of California issued me a
25 permanent disabled placard for driving.

26 12). On January 10, 2004, I closed my Fleet Bank accounts. Afterwards, I opened
both a checking and savings account with Washington Mutual. A week later, Fleet Bank
sent me a refund in the amount of \$18.00 from my two accounts

13 13). A week later, the manager of UHAUL said that they had received the Fleet
14 money order that I had sent in late December 2003. Apparently, it took more than three
15 weeks for the check to travel from Boston to New Bedford. On January 7, 2004, I tried
16 to retrieve several of my belongings from the storage, the manager would not allow me
17 to take anything from the storage until I paid more money.

18 14). Recently, I learned from Washington Mutual that Bank of America has put a
19 dent on my Chex systems. I even tried to open an account with another bank. They
20 closed it because they found a dent.

21 15). In July 2004, I received a letter from Bank of America demanding that I pay
22 them the \$200.00. I did not realize that Bank of America had merged with Fleet Bank. I
23 do not owe Bank of America. I do not owe Fleet Bank. They intentionally misplaced my
24 check. And they refunded me the money. When I closed my accounts in January 2004,
25 Fleet Bank refunded me about \$18.00.

26 16). I would like to use the proceeds from this lawsuit to cater to the needs of the
under-privileged children globally, pay for law school, and my son's education. In July
2004, I donated many of my belongings in the UHAUL storage to the under-privileged
children in Massachusetts. In the past, I have donated many of my belongings to the